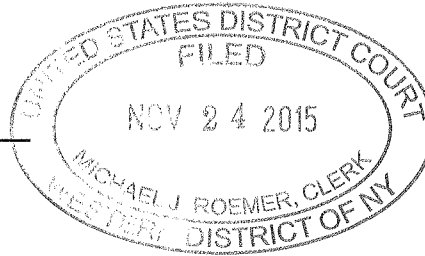


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

IN RE: DASHON MARTEL HINES,

Respondent,



-PS-O-

DECISION AND ORDER
13-mc-0027A

On September 8, 2015, the Court, upon a remand from the United States Court of Appeals for the Second Circuit,¹ entered a Decision and Order (“Order to Show Cause”) directing respondent, Dashon Martel Hines, to show cause within fourteen (14) days why an order should not be entered requiring him to continue to file Request for Permission to file a new action for each new action he wished to file in this Court, and to pay \$500.00 each time he has had three (3) or more Requests for Permission denied by the Court. Additionally, if, at any time, he has been fined for having three (3) or more Requests for Permission denied, he would not be permitted to file any new Requests for Permission to file a new action unless and until he has paid the \$500.00. (Docket No. 12, Order to Show Cause.)

Hines was advised that if he did not file a response to the Order to Show Cause as directed, the Court would issue a subsequent order imposing the sanctions set forth above without further explanation. On September 8, 2015, a


¹Familiarity with the procedural history in this matter is presumed.

copy of the Order to Show Cause was personally provided to Hines at the public counter in the Office of the Clerk but, to date, Hines has not submitted a response of any kind to the Order to Show Cause. Accordingly,

IT IS HEREBY ORDERED that (1) Hines must file a Request for Permission to file a new action each time he seeks to file a new action in this Court, (2) Hines will be fined \$500.00 each time he has had three or more Requests for Permission denied, for any reason, by the Court, and (3) if Hines is ordered to pay \$500.00 for having three or more Requests for Permission denied, he will not be permitted to file any additional Requests for Permission to file a new action unless and until he pays the \$500.00 fine in full to the Clerk of the Court each time a fine is assessed;² and

FURTHER, that this sanction is to be equally applied to any new actions transferred to this Court from another Court.

IT IS SO ORDERED.


 HONORABLE RICHARD J. ARCARA
 DISTRICT JUDGE
 UNITED STATES DISTRICT COURT

Dated: Nov. 17, 2015

²Prior to entry of the Order to Show Cause Hines had filed a new civil action, *Hines v. Buffalo General Hospital*, 15-CV-0618A, and four Requests for Permission to file a new action, *In re: Marshon Dartel Hines*, 15-mc-0050A, 15-mc-0052A, 15-mc-0058A and 15-mc-0062A, and the Court noted that because this one new civil action and four Requests for Permission were filed prior to entry of the Order to Show Cause they, in all fairness, would not be considered as one or more of the cases that could be subject to the imposition of the \$500.00 fine, if, in fact, the Requests for Permission were denied. (Docket No. 12, Order to Show Cause, at p. 8.) The Court notes that the Order to Show Cause had indicated incorrectly that Hines had filed three Request for Permission to File prior to entry of the Order to Show Cause when, in fact, he had filed four.